

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #. DATE FILED: <u>3/6/09</u>
--

-----X
In re: MERRILL-LYNCH & CO., INC.
SECURITIES, DERIVATIVE AND ERISA
LITIGATION

07 CIVIL 9633 (JSR)

-----X
PERTAINS TO
Lambrecht v. O'Neal, 08 Civ. 6582

AMENDED JUDGMENT

-----X
Whereas the above-captioned action, *Lambrecht v. O'Neal, et al.*, 08 Civ. 6582 (the Lambrecht Action") having come before this Court, and the matter having come before the Honorable Jed S. Rakoff, United States District Judge, and the Court, on February 17, 2009, having rendered its Opinion and Order granting defendants' motions to dismiss the Lambrecht Action (08 Civ. 6582) for lack of standing, and directing the Clerk to enter Judgment dismissing the Lambrecht Action (08 Civ. 6582) without prejudice to refiling in the circumstances stated in the Court's Opinion and Order dated February 17, 2009, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated February 17, 2009, defendants' motions to dismiss the Lambrecht Action (08 Civ. 6582) for lack of standing is granted, and judgment is entered dismissing the Lambrecht Action without prejudice to refiling in the circumstances stated in the Court's Opinion and Order dated February 17, 2009.

Dated: New York, New York
March 6, 2009

J. Michael McMahon
Clerk of Court

BY:

[Signature]
Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____